

# HOUSE BILL No. 1595

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 31-11.

**Synopsis:** Marriage requirements. Provides that a marriage is void without legal proceedings if the parties to the marriage are issued a marriage license in Indiana but have the marriage solemnized in another state. Makes conforming changes.

**Effective:** July 1, 1999.

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January 21, 1999, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1595

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A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 31-11-4-10 IS AMENDED TO READ AS  
2       FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. A marriage license  
3       expires sixty (60) days after the license is issued unless a marriage is  
4       solemnized **in Indiana** under the license within that time.
- 5       SECTION 2. IC 31-11-4-13 IS AMENDED TO READ AS  
6       FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 13. Individuals who  
7       intend to marry each other must present a marriage license that is  
8       issued under this chapter to an individual who is authorized by  
9       IC 31-11-6 to solemnize marriages **in Indiana**.
- 10       SECTION 3. IC 31-11-4-14 IS AMENDED TO READ AS  
11       FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 14. A marriage license  
12       that is issued under this chapter is the legal authority for an individual  
13       who is authorized to solemnize marriages **in Indiana** to marry two (2)  
14       individuals.
- 15       SECTION 4. IC 31-11-6-1 IS AMENDED TO READ AS  
16       FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. Marriages may be

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solemnized **throughout Indiana** by any of the following:

- (1) A member of the clergy of a religious organization (even if the cleric does not perform religious functions for an individual congregation), such as a minister of the gospel, a priest, a bishop, an archbishop, or a rabbi.
- (2) A judge.
- (3) A mayor, within the mayor's city.
- (4) A clerk or a clerk-treasurer of a city or town, within a county in which the city or town is located.
- (5) A clerk of the circuit court.
- (6) The Friends Church, in accordance with the rules of the Friends Church.
- (7) The German Baptists, in accordance with the rules of their society.
- (8) The Bahai faith, in accordance with the rules of the Bahai faith.
- (9) The Church of Jesus Christ of Latter Day Saints, in accordance with the rules of the Church of Jesus Christ of Latter Day Saints.
- (10) An imam of a masjid (mosque), in accordance with the rules of the religion of Islam.

SECTION 5. IC 31-11-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. **(a)** A marriage that is solemnized in Indiana and is void under section 2, 3, ~~or 5~~, **or 5.5** of this chapter is void without any legal proceedings.

**(b) A marriage that is solemnized in another state and is void under section 5.5 of this chapter is void without any legal proceedings.**

SECTION 6. IC 31-11-8-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 5.5. A marriage is void if the parties to the marriage are issued a marriage license in Indiana but have the marriage solemnized in another state.**

SECTION 7. [EFFECTIVE JULY 1, 1999] **(a) IC 31-11-8-5.5, as added by this act, applies to a marriage based on a marriage license that is issued after June 31, 1999.**

**(b) This SECTION expires July 2, 1999.**

